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6 Attorneys for Representative Plaintiff and the Plaintiff
Classes

7

8 UNITED STATES DISTRICT COURT
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA

10

11 MARCUS ESCOW-FULTON,
individually, and on behalf of all others
12 similarly situated,

13 Plaintiffs,

14 vs.

15 SPORTS AND FITNESS CLUBS OF
AMERICA, dba 24 HOUR FITNESS,
16 INC.,

17 Defendant.

18 CASE NO. C07-01056 EMC

19

20 **JOINT STIPULATION TO DISMISS
COMPLAINT ; ORDER**

1 WHEREAS, the Plaintiff Marcus Escow-Fulton and Defendant 24 Hour Fitness
2 USA, Inc., have reached an agreement to dismiss this Complaint, in its entirety, without prejudice
3 with all parties to bear their own costs and fees.

4

5 Therefore, IT IS HEREBY STIPULATED by and between the parties through
6 their undersigned counsel that this action is dismissed, in its entirety, without prejudice.

7 DATED: March 12, 2007

8 PAUL, HASTINGS, JANOFSKY & WALKER LLP
9 ROBERT P. KRISTOFF
10 JOHN C. POST

11 By:

12 ROBERT P. KRISTOFF

13 Attorneys for Defendant
14 24 Hour Fitness USA, Inc.

15 DATED: March 12, 2007

16 SCOTT COLE & ASSOCIATES, APC
17 SCOTT E. COLE
18 CLYDE H. CHARLTON
19 MATTHEW R. BAINER

20 By:

21 Clyde H. Charlton for
22 SCOTT E. COLE

23 Attorneys for Representative Plaintiff, Marcus Escow-
24 Fulton, and the Plaintiff Classes

25 IT IS SO ORDERED:

26 DATED: March 12 2007

27 By:

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IT IS SO ORDERED
Edward M. Chen
Judge Edward M. Chen

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NORTHERN DISTRICT OF CALIFORNIA C07-01056 EMC